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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/596,607

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EXAMINER

CHOWDHURY, NIGAR

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/596,607	Applicant(s) SUZUKI ET AL.	
	Examiner NIGAR CHOWDHURY	Art Unit 2484	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-15 rejected under 35 U.S.C. 102(e) as being US 2002/0174430 by Ellis et al.
2. Regarding **claim 1**, a server device for use with a client device in a movie distribution system, the server device comprising:
 - a video recording processing section for recording a movie and generating not only movie data, made up of predetermined data units, but also management information including information needed to make a special playback (fig. 61, 65, paragraph 0379-0383, 0389-0391, i.e., skip forward, back button, skip to previous marker, skip to next marker, etc.) and in which a playback duration and a data size are associated with each other

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with respect to each said data unit (fig. 1, 44, 45, paragraph 0161,0164-0168, 0174, 0177, 0339-0345);

- a storage medium to store the movie data and the management information thereon (fig. 1, 44, 45, paragraph 0161,0164-0168, 0174, 0177, 0339-0345);
- a receiving section, which receives a request to get the management information and a request to transmit the data unit from the client device (fig. 1, 44, 45, paragraph 0161,0164-0168, 0174, 0177, 0339-0345);
- a request processing section for reading the management information and the data unit in response to the request to get and the request to transmit, respectively, and instructing that the management information and the data unit be transmitted (fig. 1, 44, 45, paragraph 0161,0164-0168, 0174, 0177, 0339-0345); and
- a transmitting section for transmitting the management information and data unit instructed (fig. 1, 44, 45, paragraph 0161,0164-0168, 0174, 0177, 0339-0345)
- wherein if the request to transmit the data unit has been received after the management information was transmitted, the request processing section instructs that at least a piece of the newest management information be transmitted with the data unit selected by the request to transmit (fig. 61, 65, paragraph 0379-0383, 0389-0391, i.e., in fig. 65 a management information is received to skip to next marker while program is playing

back in between time stamp 0:00 to 0:12:57 then a program will be skipped to the next marker time stamp 0:12:57, which means the request processing section instruct at least a newest management information (skip to next marker time stamp 0:12:57) be transmitted with the program starts from time stamp 0:12:57).

3. Regarding **claim 2**, the server device wherein the request processing section instructs that a piece of the management information, which has been updated after the management information was transmitted and until the at least one data unit selected by the request to transmit is transmitted, be transmitted (fig. 61, 65, paragraph 0379-0383, 0389-0391).

4. Regarding **claim 3**, the server device wherein when the video recording processing section stops recording the movie, the request processing section instructs that a notification of the stop of recording be sent and the transmitting section sends the notification with the data unit selected by the request to transmit (fig. 31, paragraph 0330, 0333).

5. Regarding **claim 4**, the server device wherein the transmitting section transmits at least two of: the data unit (fig. 61, 65, paragraph 0379-0383, 0389-0391); at least the piece of the newest management information (fig. 61, 65, paragraph 0379-0383, 0389-

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0391); and the notification, that are stored in separate sections of a message so as to be distinguished from each other.

6. Regarding **claim 5**, the server device wherein the movie data concerns a stream compliant with one of the MPEG standards and the data unit is a video object unit (paragraph 0251).

7. Regarding **claim 6**, the server device wherein the video recording processing section generates management information in which playback-related attributes of the movie are further associated with each said data unit (fig. 1, 44, 45, paragraph 0161, 0164-0168, 0174, 0177, 0339-0345).

8. **Claim 7** is rejected for the same reason as discussed in the corresponding claim 1 above.

9. Regarding **claim 8**, the client device wherein the receiving section receives a piece of the management information, which has been updated after the server device transmitted the management information in response to the request to get and until the at least one data unit selected by the request to transmit is transmitted (fig. 61, 65, paragraph 0379-0383, 0389-0391).

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10. Regarding **claim 9**, the client device wherein the receiving section receives not only the data unit but also a notification of stop of recording from the server device (fig. 31, paragraph 0330, 0333).

11. Regarding **claim 10**, the client device wherein the receiving section receives a message, in which at least two of: the data unit (fig. 1, 44, 45, paragraph 0161, 0164-0168, 0174, 0177, 0339-0345); at least the piece of the newest management information (fig. 61, 65, paragraph 0379-0383, 0389-0391); and the notification, are stored, and distinguishes and retrieves the at least two of them.

12. Regarding **claim 11**, the client device wherein the movie data concerns a stream compliant with one of the MPEG standards and the data unit is a video object unit (paragraph 0251).

13. Regarding **claim 12**, the client device wherein the receiving section receives management information in which playback-related attributes of the movie are further associated with each said data unit, and wherein the movie output processing section plays back the movie in accordance with the attributes and the data units (fig. 1, 44, 45, paragraph 0161, 0164-0168, 0174, 0177, 0339-0345).

14. **Claim 13** is rejected for the same reason as discussed in the corresponding claims 1 and 7 above.

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15. **Claim 14** is rejected for the same reason as discussed in the corresponding claim 1 above.

16. **Claim 15** is rejected for the same reason as discussed in the corresponding claim 7 above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NIGAR CHOWDHURY whose telephone number is (571)272-8890. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NC
12/30/2010

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2484